



Secretary of State Jason Kander
Election Review
September 7, 2016

Cole County – Improper Registered Voter

Background

Article VIII, Section 2 of the Missouri Constitution requires that all qualified voters of the state meet three basic requirements in order to vote. First, all voters must be United States' citizens. Second, all voters must be 18 years of age by Election Day. Finally, all voters must reside in Missouri.

In 2006, the Cole County Clerk received a voter registration from an individual that

affirmed he was a citizen of the United States. On October 10, 2006, the individual was registered to vote. The individual subsequently voted in the November 2008 election. In June of 2016 the voter made a written request to the Cole County Clerk to remove his name from the voter registration system. The Clerk's office deleted his voter registration from the system.

Results

The Secretary of State's Office (Office) was notified by the U.S. Citizenship and Immigration Services that an individual, who indicated he was registered to vote in Missouri, was seeking citizenship. The voter indicated he did not understand the citizenship requirements for registering to vote. Section 115.133, RSMo., establishes the qualifications of voters and states that "... any citizen of the United States . . . shall be entitled to register and to vote in any election. . .".

The Office worked with the U.S. Citizenship and Immigration Services and confirmed this individual was a registered voter in Missouri. In addition, we

contacted the Cole County Clerk who confirmed the voter history and that the voter had been deleted from the voter registration records based on a written request from the voter in June of 2016.

The Secretary of State's Office referred the issue to the Cole County Prosecuting Attorney as it pertained to an alleged violation of Section 115.133, RSMo, which requires an individual to be a citizen of the United States to register to vote.

The referral informed the prosecuting attorney of the alleged violation and encouraged taking any action deemed appropriate.